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2
3 UNITED STATES DISTRICT COURT
4 NORTHERN DISTRICT OF CALIFORNIA
5 SAN FRANCISCO DIVISION
6

7 CHARLES ANTHONY BROOKS,

No. C 14-4664 RS (PR)

8 Petitioner,

ORDER OF DISMISSAL

9 v.

10 KEVIN ALLEN, and
11 SAN MATEO COUNTY SUPERIOR
12 COURT,

13 RespondentS.
14 _____/

15 This is a federal habeas corpus action filed pursuant to 28 U.S.C. § 2254 by a state
16 prisoner proceeding pro se. Petitioner has failed to comply with the Court's order to
17 (1) perfect his application to proceed *in forma pauperis* ("IFP"), or (2) pay the filing fee of
18 \$5.00. His IFP application lacks two necessary documents: a Certificate of Funds signed by
19 an authorized prison officer, and a prison trust account statement showing transactions for the
20 last six months. Accordingly, this habeas action is **DISMISSED** without prejudice for failure
21 to respond to the Court's order and for failure to prosecute under Federal Rule of Civil
22 Procedure 41(b). Because this dismissal is without prejudice, petitioner may move to reopen
23 the action. Any motion to reopen **must** contain (1) the missing documents described above,
24 **or** (2) full payment for the filing fee. The Clerk shall enter judgment in favor of respondents
and close the file.

25 **IT IS SO ORDERED.**

26 DATED: December 8, 2014

27 
28 RICHARD SEEBORG
United States District Judge

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